

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

LOGICAL MEDIA NETWORK, INC.,

Plaintiff,

v.

CENTERPOINT MEDIA, PAUL ROBERTS and  
RENE RAPP,

Defendants.

**REPLY AFFIRMATION IN  
FURTHER SUPPORT OF  
ORDER TO SHOW CAUSE**

Civil Action No.: 13 CIV 4177 (SAS)

**RYAN O. MILLER**, an attorney duly admitted to practice law in the United States District Court for the Southern District of the State of New York, affirms the following under the penalty of perjury:

1. I am a principal with the Law Offices of Kishner & Miller, attorneys for Plaintiff Logical Media Network, Inc. (“Plaintiff”), and as such I am fully familiar with all of the facts and circumstances set forth herein based upon my own personal knowledge and a review of the file maintained by my office.

2. I submit this reply affirmation in further support of Plaintiff’s’ Order to Show Cause seeking, among other relief, a court order directing the Defendants: (a) to stop soliciting Plaintiff’s existing clients as identified in the confidential lists (“Client Lists”) of its publishers (“Affiliates”) and advertisers (“Advertisers”) (Affiliates and Advertisers shall collectively hereinafter be referred to as the “Clients”) shared with defendant Paul Roberts (“Defendant Roberts”) and defendant Rene Rapp (“Defendant Rapp”) during their employment with Plaintiff; (b) to return immediately to Plaintiff, and not to disclose to any person or entity, all business information of Plaintiff obtained or used by Defendant Roberts and/or Defendant Rapp during their employment with Plaintiff, including the Client Lists; (c) to disclose to Plaintiff the identity of all persons not employed by Plaintiff to whom Defendants at any time disclosed Plaintiff’s

confidential and proprietary trade secret information including specifically the Client Lists; (d) to stop the Defendants from disclosing any information related to this Action or this request for relief during the pendency of this Action; and (e) such other and further relief as this Court deems just and proper.

3. Plaintiff's Chief Executive Officer and Vice President are currently out of the Country on business related matters and are not scheduled to return until July 6, 2013.

4. Plaintiff received the Defendants' Response to Plaintiff's Order to Show Cause on June 25, 2013.

5. As the Plaintiff's representative's are out of the country, there was simply not enough time to prepare and review an affidavit with them, have them locate an apostil or U.S. Consulate to have the affidavit notarized and return the original affidavit to us prior to the return date of Plaintiff's Order to Show Cause.

6. I will, however, on behalf of the Plaintiff, and in particular Ms. Schremp, affirm to this Honorable Court that I have spoken with Ms. Schremp on today's date regarding the Affidavit and I know that Ms. Schremp with whom I am familiar with did state on today's date that she signed the Affidavit and she does attest to all of the allegations and statements contained in the Reply Affidavit in Further Support of Plaintiff's Order to Show Cause. I will undertake that Ms. Schremp re-executes before a Notary Public the Affidavit as presented and attached and subsequent thereto, provide same to this Honorable Court. As such, we respectfully request that the Affidavit of Rachel Schremp in be accepted for full consideration in further support of Plaintiff's Order to Show Cause.

**WHEREFORE**, it is respectfully requested that this Honorable Court enter an Order granted the Plaintiff's motion in its entirety.

Dated: New York, New York  
June 27, 2013

**LAW OFFICES OF KISHNER & MILLER**

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